



DEPARTMENT OF COMMERCE

International Trade Administration

[C-533-909]

Barium Chloride from India: Postponement of Preliminary Determination in the Countervailing Duty Investigation

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

DATES: Applicable [INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

FOR FURTHER INFORMATION CONTACT: Tyler Weinhold and Harrison Tanchuck, AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-1221 and (202) 482-7421, respectively.

SUPPLEMENTARY INFORMATION:

Background

On February 1, 2022, the Department of Commerce (Commerce) initiated a countervailing duty (CVD) investigation of imports of barium chloride from India.¹ Currently, the preliminary determination is due no later than April 7, 2022.

Postponement of Preliminary Determination

Section 703(b)(1) of the Tariff Act of 1930, as amended (the Act), requires Commerce to issue the preliminary determination in a countervailing duty investigation within 65 days after the date on which Commerce initiated the investigation. However, section 703(c)(1) of the Act permits Commerce to postpone the preliminary determination until no later than 130 days after the date on which Commerce initiated the investigation if: (A) the petitioner² makes a timely request for a postponement; or (B) Commerce concludes that the parties concerned are

¹ See *Barium Chloride from India: Initiation of Countervailing Duty Investigation*, 87 FR 7094 (February 8, 2022).

² The petitioner is Chemical Products Corporation.

cooperating, that the investigation is extraordinarily complicated, and that additional time is necessary to make a preliminary determination. Under 19 CFR 351.205(e), the petitioner must submit a request for postponement 25 days or more before the scheduled date of the preliminary determination and must state the reasons for the request. Commerce will grant the request unless it finds compelling reasons to deny the request.

On March 8, 2022, the petitioner submitted a timely request that Commerce postpone the preliminary CVD determination.³ The petitioner stated that it requests postponement “...so that Petitioner’s counsel can analyze and comment upon the responses of the respondent company and the Government of India to Commerce’s Countervailing Duty Questionnaire.”⁴ In accordance with 19 CFR 351.205(e), the petitioner has stated the reasons for requesting a postponement of the preliminary determination, and Commerce finds no compelling reason to deny the request. Therefore, in accordance with section 703(c)(1)(A) of the Act, Commerce is postponing the deadline for the preliminary determination to no later than 130 days after the date on which this investigation was initiated, *i.e.*, June 13, 2022.⁵ Pursuant to section 705(a)(1) of the Act and 19 CFR 351.210(b)(1), the deadline for the final determination of this investigation will continue to be 75 days after the date of the preliminary determination.

This notice is issued and published pursuant to section 703(c)(2) of the Act and 19 CFR 351.205(f)(1).

Dated: March 9, 2022.

Lisa W. Wang,
Assistant Secretary for Enforcement and Compliance.

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³ See Petitioners’ Letter, “Countervailing Duty Investigation of Barium Chloride from India: Petitioner’s Request for Extension of Time for Preliminary Determination,” dated March 8, 2022.

⁴ *Id.*

⁵ Postponing the preliminary determination to 130 days after initiation would place the deadline on Saturday, June 11, 2022. Commerce’s practice dictates that where a deadline falls on a weekend or federal holiday, the appropriate deadline is the next business day. See *Notice of Clarification: Application of “Next Business Day” Rule for Administrative Determination Deadlines Pursuant to the Tariff Act of 1930, As Amended*, 70 FR 24533 (May 10, 2005).